

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

CITY OF COLUMBUS *et al.*,

*Plaintiffs,*

v.

ROERT F. KENNEDY, JR. *et al.*,

*Defendants.*

Case No. 25-cv-2114

**[PROPOSED] ORDER STAYING EFFECTIVE DATE UNDER 5 U.S.C. § 705**

Upon consideration of Plaintiffs' Motion for Stay or Preliminary Injunction, and the parties' briefing thereon, it is hereby

**ORDERED** that the motion is **GRANTED**; and it is further

**ORDERED** that the effective dates of the following provisions of the final rule entitled "Patient Protection and Affordable Care Act; Marketplace Integrity and Affordability," 90 Fed. Reg. 27074, are **STAYED** pursuant to 5 U.S.C. § 705 pending a final ruling on the merits of this case:

1. The imposition of a \$5 premium penalty on automatic re-enrollees, through the addition of 45 C.F.R. § 155.335(a)(3) and (n) and revisions to 45 C.F.R. § 155.330(j).
2. The revocation of guaranteed insurance coverage for individuals with past-due premiums, through revisions to 45 C.F.R. § 147.104(i).
3. The failure to reconcile (FTR) policy in 45 C.F.R. § 155.305(f)(4), including the final rule's amendments to that policy through the addition of 45 C.F.R. § 155.305(f)(4)(iii).

4. The elimination of the special enrollment period, through the removal of 45 C.F.R. §§ 147.104(b)(2)(i)(G) and 155.420(d)(16).
5. The imposition of eligibility verification for the special enrollment period, through the revisions to 45 C.F.R. § 155.420(g).
6. The elimination of the 60-day extension of time to resolve inconsistencies in household income data, through the removal of 45 C.F.R. § 155.315(f)(7) and revisions to 45 C.F.R. § 155.320(c)(5).
7. The imposition of a requirement that Exchanges generate household income inconsistencies when a tax filer's attested projected annual household income differs from "trusted data sources," through revisions to 45 C.F.R. § 155.320(c)(3)(iii).
8. The change to the measure for calculating the premium adjustment percentage set forth in 90 Fed. Reg. 27,166 through 27,178.
9. The changes to the de minimis ranges for actuarial value calculations, through revisions to 45 C.F.R. §§ 156.140(c), 156.200(b)(3), and 156.400.

**SO ORDERED.**

\_\_\_\_\_, 2025

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U.S. DISTRICT JUDGE